

### REMARKS

Applicants present claims 22 to 44 for examination. Claim 22 is independent. Favorable reconsideration and further examination are respectfully requested.

In the Office Action, claims 22 to 24, 26 to 32, and 41 to 44 were rejected over WO00/57515 (Kodim) in view of Glaser<sup>1</sup>; claim 25 was rejected over Kodim in view of Glaser and JP-162744 (Hitachi LTD); claims 33, 35 and 39 were rejected over Kodim in view of Glaser and US 6,272,327 (Kurchuck); claim 34 was rejected over Kodim in view of Glaser and JP02000134945 (Toshiba); claims 36 to 38 were rejected over Kodim in view of Glaser, Kurchuk, and U.S. Patent No. 5,276,422 (Ikeda); and claim 40 was rejected over Kodim in view of Glaser and U.S. Patent No. 6,072,993 (Triksa). For at least the reasons set forth below, Applicants respectfully traverse the rejection of independent claim 22.

In this regard, claim 22 is directed to circuitry comprising a terminal for use with a high-frequency signal, at least two signal lines, a switching unit for connecting the terminal to a signal line, and a primary protection device for protecting against electrostatic discharges. The primary protection device is between the terminal and the switching unit, and the primary protection device comprises a first element that diverts voltages having a pulse height greater than 200V to a reference potential.

Page 4 of the Office Action admits that Kodim does not teach a primary protection device that diverts a voltage greater than 200V to a reference potential. Glaser was

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<sup>1</sup> "Koss" was referenced in the body of the rejection; however, it was not listed in the summary of the rejection. The reference to "Koss" is believed to refer to U.S. Patent No. 5,122,921, which is of record in this application.

therefore cited to make up for this deficiency of Kodim. Applicants submit, however, that it would not have been obvious to combine Kodim with Glaser in the manner set forth in the Office Action. Therefore, the rejection is improper as a matter of law.

In this regard, it is elemental that there must be some suggestion in the art or in the knowledge generally available to those skilled in the art to make the combination. In this case, Kodim itself teaches against making the combination. More specifically, Kodim describes an electrostatic protection device whose main object is to "provide an electrical filter that reduces the electro static discharge sensitivity without providing additional losses and any harmonic generation" (page 2, lines 9 to 11). As explained previously in Kodim, "[a]dding non-linear components could cause the generation of harmonics in the transmitter path" (page 2, lines 1 and 2). Accordingly, Kodim's electrical filter for ESD protection, as shown in Fig. 1b, is designed using linear components only, namely resistors, capacitors and inductors (see, e.g., page 5, lines 8 et seq.).

Glaser describes a surge suppression circuit comprised of two discharge stages 18 and 20. As explained in column 5, lines 46 et seq., each discharge stage "includes a choke in series with a discharge device... The choke and discharge device then form a low pass filter through which transients typically associated with lightening easily pass to ground". The first discharge stage includes primary and secondary gas discharge tubes (column 5, lines 62 et seq.). The second discharge stage includes a sidactor, a metal oxide varistor, or a silicon avalanche diode (column 6, lines 16 et seq.). All of these devices are non-linear and, therefore, if combined with Kodim, would generate the very harmonics that the Kodim device is designed to avoid.

Finally, Applicants note the reference on page 3 of the Office Action to "Koss". Since the rejection is over Kodim and Glaser, Applicants believe this to be a typographical error. Nevertheless, Applicants will address the Koss reference as well. In this regard, Applicants note that Koss discloses an electromagnetic static and voltage suppression circuit, which also includes a non-linear element, namely a gas discharge unit. That is, referring to Fig. 2 of Koss, the Koss circuitry includes gas discharge unit 38, which is described in the excerpt below:

A standard gas discharge unit 38 is also connected from the antenna of capacitor 32 to housing 34 in parallel with coil 30. Gas discharge unit is normally an open circuit but it has a break down or conducting voltage above which it commences conducting. Typically, gas discharge unit 38 is rated at 600 Volts DC or higher for commencing conduction, but the value can be varied depending on system parameters.<sup>2</sup>

Thus, Koss also includes a non-linear element, namely the gas discharge unit 38. Therefore, for the same reasons as explained above with respect to Glaser, Applicants submit that the references actually teach against a combination of Kodim and Koss. Therefore, such a rejection would be improper as a matter of law.

For at least the foregoing reasons, claim 22, and the claims that depend therefrom, are believed to be patentable over the art.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all

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<sup>2</sup> Col. 4, lines 56 et seq.

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pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

Please apply any fees or credits due in this case, which have not already been covered by check, to Deposit Account 06-1050 referencing Attorney Docket No. 14219-079US1.

Respectfully submitted,

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